

REMARKS

Claims 26-29 and 34-63 are currently pending. Claims 26-29, 34, 35, 46-51 and 58-63 have been allowed. Claims 36-45 and 52-57 stand rejected. No new claims have been added in this paper. Favorable reconsideration is respectfully requested in light of the following remarks.

I. Formal Matters

Applicant kindly thanks Examiner Pham for indicating that claims 26-29, 34, 35, 46-51 and 58-63 are in allowable form.

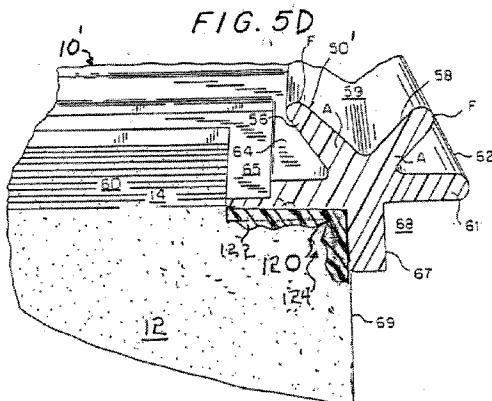
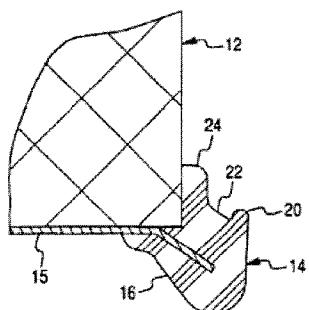
II. Claim Rejections Under 35 USC § 102 (e)

The Office Action rejected claims 36-45 and 52-57 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,830,443 to Coffey et al. (“Coffey”). The rejection is respectfully traversed.

A. Regarding independent claims 36 and 37

Applicant respectfully notes that claim 36, which is directed to an apparatus, and claim 37, which is directed to a method, recite “a rigid frame.” For convenience, Figure 5 of Coffey is shown below next to Figure 5D of the present invention, which illustrates an embodiment of “a rigid frame.”

Fig. 5



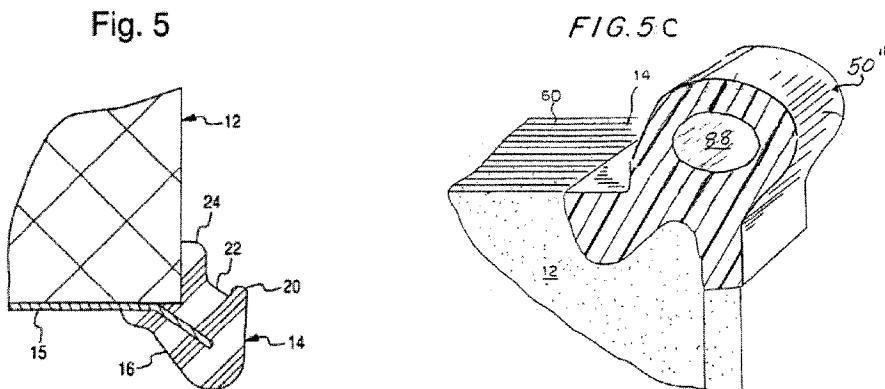
Applicant has carefully studied the Final Office Action at page 2 and at page 4 in the “Response To Amendment” section and is unable to find any mention of the above-claimed limitation. Thus, the Action is notably deficient of any passages or support that validates the rejection of independent claims 36 and 37 in view of the teachings of Coffey.

Although it is noted above that the record is *completely silent* regarding any disclosure of a rigid frame in Coffey, assuming, *arguendo*, that '15' of Figure 5 in Coffey is interpreted by the Office Action as the claimed rigid frame, this so-called frame extends away from the filter and is not bonded to any perimeter. Even further, it is noted by the Applicant that there is no mention in the Office Action of '15,' nor '15' being injected on the filter media, as recited by method claim 37.

To anticipate a claim, the reference must teach every element of the claim. "*A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.*" See M.P.E.P. §2131 (8th Ed. 5th Rev.). Applicant therefore submits that Coffey, alone or in permitted combination with the art of record, does not teach or suggest all of the claim limitations as recited in independent claims 36 and 37. Therefore, claims 36 and 37 should be allowable. Claims 37-45, which depend from claim 37 are therefore also allowable. Withdrawal of the rejection to claims 36-45 is solicited.

B. Regarding independent claim 52

Applicant respectfully notes that claim 52 recites "a bulb seal defining a void." For convenience, Figure 5 of Coffey is shown below next to Figure 5C of the present invention, which illustrates an embodiment of "a bulb seal."



Applicant has carefully studied the Final Office Action at page 2 and at page 4 in the "Response To Amendment" section and is unable to find any mention of the above-claimed limitation. Thus, the Action is notably deficient of any passages or support that validates the rejection of independent claim 52 in view of the teachings of Coffey.

Although the Office Action summarily indicated that the subject matter of previously-pending dependent claims 30 and 33 was anticipated by the applied prior art, Applicant is still unable to identify the basis for the rejection in the Action; nor can Applicant find basis for the rejections in the art relied on by the Examiner. Coffey does not disclose, teach or suggest the foregoing structure either alone or in permitted combination with any of the art of record.

To anticipate a claim, the reference must teach every element of the claim. "*A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.*" See M.P.E.P. §2131 (8th Ed. 5th Rev.).

Applicant submits that Coffey, alone or in permitted combination with the art of record, does not teach or suggest all of the claim limitations as recited in independent Claim 52. Claim 52 should be allowable. Claims 53-57 depend from claim 52 are therefore also allowable. Withdrawal of the rejection to claims 52-57 is solicited.

Conclusion

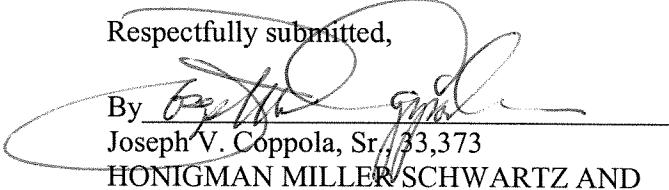
Respectfully, Applicant submits that the Office Action construes the Coffey reference too liberally by only considering, in detail, the limitations recited in former independent claim 26. Among other things, Applicant respectfully submits that the Office Action failed to address many distinguishing limitations not disclosed either expressly or inherently in the prior art. For example, previously-pending dependent claims 30-33 as well as other features recited in independent claims 36 and 37.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is earnestly solicited. However, if such allowance is not permitted Applicant requests that any subsequent action issued in the present case be marked non-final, for the reasons set forth above.

No fee is believed to be due with the filing of this paper; however, if any fees are due with the filing of this paper, please charge our Deposit Account No. 50-3145, under Order No. 215407-106338 from which the undersigned is authorized to draw.

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Respectfully submitted,

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